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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/685,159	10/14/2003	Charles Jamile Hamadi	C02-0076-000	4806
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33190 7590 04/30/2007
 CINGULAR WIRELESS LLC
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 ATLANTA, GA 30342

EXAMINER

PHU, SANH D

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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04/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/685,159	Applicant(s) HAMADI ET AL.	
	Examiner Sanh D. Phu	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 February 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
 4a) Of the above claim(s) 2,3,8,9 and 13-15 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,4-7,10-12 and 16 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Applicant's Response filed on 2/12/07. Accordingly, claims 1, 4-7, 10-12 and 16 are elected claims; and claims 2, 3, 8, 9 and 13-15 are non-elected claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4, 6 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Beach (2004/0076136), newly-cited.

-Regarding to claim 1, Beach discloses a method (see figure 1)

comprising:

procedure (11) of receiving at a mobile unit (11) a communication for a wireless peripheral device (22A or 22B);

procedure (11) of communicating wireless signals to the wireless peripheral device, the wireless signals utilizing more than one wireless technology standard (PAP, 802.11) (see [0039-0043]); and

procedure (11) of forwarding the communication to the wireless peripheral device using a single wireless technology standard (see [0039-0043]).

-Regarding to claim 4, Beach discloses procedure (11) of receiving an acknowledgement from the wireless peripheral device, the acknowledgement indicating that the wireless peripheral device can received a direct communication via (PAP) from the mobile unit (see [0042-0043]), (the acknowledgement considered here equivalent with the limitation “the acknowledgement indicating the single wireless technology standard utilized by the wireless peripheral device”).

-Regarding to claim 6, Beach teaches that communicating the wireless signals comprises wirelessly communicating the wireless signals using

standard 802.11, (considered here equivalent with the limitation “an I.E.E.E 802 wireless technology standard” and Bluetooth standard, (considered here equivalent with the limitation “a radio frequency (RF) portion of the electromagnetic spectrum”, (see ([0029])).

–Regarding to claim 7, as similarly applied to claims 1, 4 and 6 set forth above and herein incorporated, Beach teaches a method (see figure 1) for communicating with a wireless peripheral device (22A), the method comprising:

procedure (22A) of receiving a communication for the wireless peripheral device (22A);

procedure (22A) of instructing multiple wireless systems of mobile units (11) to communicate wireless signals to the wireless peripheral device (see (42) of figure 3, and [0039, 0046]), the multiple wireless systems capable of utilizing multiple wireless technology standards (PAP, 802.11); and

procedure (11) of forwarding the communication to the wireless peripheral device using a single wireless technology standard.

4. Claims 1, 5, 7, 10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al (6,879,600), newly-cited.

–Regarding to claim 1, Jones et al discloses a method (see figure 1) comprising:

procedure (114, 120, 112, 118) of receiving a communication for a wireless peripheral device (116);

procedure (114, 120, 112, 118) of communicating wireless signals to the wireless peripheral device, the wireless signals capable of utilizing more than one wireless technology standard (e.g. CDMA, TDMA) (see col. 1, lines 52–64, col. 6, line 65 to col. 11, line 55) and

procedure (114, 120, 112, 118) of forwarding the communication to the wireless peripheral device using a single wireless technology standard (see col. 6, line 65 to col. 11, line 55).

–Regarding to claim 5, Jones et al teaches procedure of wirelessly communicating the wireless signals capably using at least two of i) a Global System for Mobile (GSM) communications technology standard, ii) a Time Division Multiple Access (TDMA) communications technology standard, iii) a Code Division Multiple Access (CDMA) communications technology standard (see col. 1, lines 52–64).

-Regarding to claim 7, as similarly applied to claims 1 and 5 set forth above and herein incorporated, Jones et al teaches a method (see figure 1) for communicating with a wireless peripheral device (116), the method comprising:

 procedure (116) of receiving a communication for the wireless peripheral device (116);

 procedure (116) of inherently instructing/registering with multiple wireless systems (112, 118) to communicate wireless signals to the wireless peripheral device during registrations with multiple wireless systems (see col. 7, lines 8-30), the multiple wireless systems capable of utilizing multiple wireless technology standards (e.g. CDMA, TDMA); and

 procedure (112 or 118) of forwarding the communication to the wireless peripheral device using a single wireless technology standard.

-Regarding to claim 10, Jones et al teaches procedure of being capable to instruct at least two of i) a Global System for Mobile (GSM) communications system, ii) a Time Division Multiple Access (TDMA) communications system, iii) a Code Division Multiple Access (CDMA) communications system.

-Regarding to claim 12, similarly applied to claims 1, 5, 7 and 10 set forth above and herein incorporated, Jones et al teaches a method (see figure 1) for communicating with a wireless peripheral device (116), the method comprising:

procedure (116) of receiving the message for the wireless peripheral device (116);

procedure (116) of inherently instructing/registering with multiple message service centers (112, 118) to communicate an activation message to the wireless peripheral device during registrations with the service centers , the multiple message service centers capable utilizing at least two of i) a Global System for Mobile (GSM) communications technology standard, ii) a Time Division Multiple Access (TDMA) communications technology standard, iii) a Code Division Multiple Access (CDMA) communications technology standard.

Claim Rejections – 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beach.

-Regarding to claim 11, Beach does not teach that the procedure of instructing the multiple wireless systems to communicate the wireless signals comprises instructing two of i) an I.E.E.E 802 wireless system, and ii) a radio frequency (RF) wireless system, as claimed.

However, Beach teaches that the wireless peripheral device is capable to send a request, or send an acknowledgment in associated with a communication technology, to the multiple wireless systems; for instance, the peripheral device sends a request, or sends an acknowledgment, to the multiple wireless systems for instructing that multiple wireless systems can utilize PAP technology (e.g., Bluetooth) to communicate with the wireless peripheral device after the wireless peripheral device receives an initial communication from the multiple wireless systems via PAP so that the multiple wireless systems would

base on the instruction to continue to communicate with the wireless peripheral device via PAP (see [0029,0039, 0043]).

Beach does not teach whether the wireless peripheral device sends a request, or sends an acknowledgment, to the multiple wireless systems for instructing that multiple wireless systems can utilize standard 802.11 to communicate with the wireless peripheral device after the wireless peripheral device receives an initial communication from the multiple wireless systems via standard 802.11 (see [0042, 0043]).

It would have been obvious for one skilled in the art to additionally implement Beach in such a way that similarly, the wireless peripheral device would send a request, or send an acknowledgment, to the multiple wireless systems for instructing that multiple wireless systems can utilize standard 802.11 to communicate with the wireless peripheral device after the wireless peripheral device receives an initial communication from the multiple wireless systems via standard 802.11 so that the multiple wireless systems would base on the instruction to continue to communicate with the wireless peripheral device via standard 802.11.

With such the implementation, Beach teaches the limitation “instructing the multiple wireless systems to communicate the wireless signals comprises instructing at least two of i) an I.E.E.E 802 wireless system, and ii) a radio frequency (RF) wireless system”.

–Regarding to claim 5, Beach does not teach whether communicating the wireless signals comprises wirelessly communicating the wireless signals using at least two of i) a Global System for Mobile (GSM) communications technology standard, ii) a Time Division Multiple Access (TDMA) communications technology standard, iii) a Code Division Multiple Access (CDMA) communications technology standard, iv) a GSM–ANSI Interoperability Team (GAI) communications technology standard, and v) a combination of the Global System for Mobile (GSM) communications technology standard and the Code Division Multiple Access (CDMA) communications technology standard”.

7. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al .

-Regarding to claim 16, Jones et al does not teach procedure of receiving an acknowledgement from the wireless peripheral device, the acknowledgement indicating the single wireless technology standard utilized by the wireless peripheral.

However, wirelessly receiving an acknowledgement from a registrant during a registration is well-known in the art, and the examiner takes Official Notice.

It would have been obvious for one skilled in the art to additionally implement Jones et al in such a way that the wireless peripheral device would send an acknowledgement for a reception by the service centers (112, 118) during the registrations in order to acknowledge admissions/responses of the service center, the acknowledgement being inherently complied with an associated wireless technology standard utilized by the wireless Peripheral, (said acknowledgement considered here equivalent with the limitation "the acknowledgement indicating the single wireless technology standard utilized by the wireless peripheral").

Response to Arguments

8. Applicant's arguments filed on 2/12/07 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D. Phu whose telephone number is (571)272-7857. The examiner can normally be reached on M-Th from 7:00-17:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Patent Examiner
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SP

4/21/07


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PATENT EXAMINER